

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF WEST VIRGINIA

In re:	:	Bankruptcy No. 5:03-BK-01802
	:	
WEIRTON STEEL CORPORATION	:	Chapter 11
	:	
Debtor.	:	Honorable L. Edward Friend, II
	:	United States Bankruptcy Judge
	:	

**NOTICE OF MOTION OF SPECTRUM MECHANICAL SERVICES, INC.,
FOR ALLOWANCE OF ADMINISTRATIVE CLAIM**

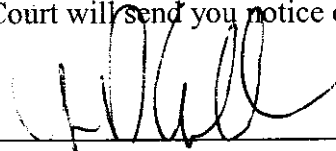
PLEASE TAKE NOTICE that, on September 29, 2004, Spectrum Mechanical Services, Inc. ("Spectrum") filed a Motion for Allowance of Administrative Claim (the "Motion") seeking the entry of an Order pursuant to 11 U.S.C. § 503 (a) allowing an administrative claim in the amount of \$23,215.00 for goods provided to the Debtor by Spectrum in this bankruptcy case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

IF YOU OBJECT TO THE RELIEF REQUESTED IN THE MOTION, YOU MUST RESPOND IN WRITING, SPECIFICALLY STATING YOUR OBJECTION AND ALL FACTS AND LAW YOU BELIEVE SUPPORT YOUR OBJECTION. YOU MUST FILE YOUR RESPONSE WITH THE CLERK OF THE BANKRUPTCY COURT WITHIN TWENTY (20) DAYS AFTER THE DATE OF THIS NOTICE. IN ADDITION TO FILING YOUR RESPONSE WITH THE CLERK, YOU MUST SERVE A COPY OF YOUR RESPONSE ON THE PERSON WHO SENT YOU THIS PLEADING AND TO THE PARTIES ON THE SERVICE LIST. ABSENT A TIMELY OBJECTION, THE COURT MAY TREAT THE MOTION AS UNOPPOSED AND GRANT THE RELIEF REQUESTED WITH OR WITHOUT A HEARING.

If an objection is filed, the Court may either conduct a hearing or rule on the Motion on the basis of the Motion and the written Objection(s). In the event that the court elects to hold a hearing, Spectrum Mechanical Services, Inc. or the Court will send you notice of the date, time and place of the hearing.

Dated: September 29, 2004



Gregory D. Gerlach, Esquire
Pa. I.D. 56443
Brennan, Robins, & Daley, P.C.
Fort Pitt Commons, Suite 500
445 Fort Pitt Boulevard
Pittsburgh, PA 15219

Attorney for Spectrum Mechanical Services, Inc.

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF WEST VIRGINIA**

In re:	:	Bankruptcy No. 5:03-BK-01802
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WEIRTON STEEL CORPORATION	:	Chapter 11
	:	
Debtor.	:	Honorable L. Edward Friend, II
	:	United States Bankruptcy Judge
	:	

**MOTION OF SPECTRUM MECHANICAL SERVICES, INC.,
FOR ALLOWANCE OF ADMINISTRATIVE CLAIM**

Spectrum Mechanical Services, Inc., ("Spectrum"), hereby files the within motion (the "Motion") for allowance and payment of its administrative claim arising from goods and services provided to Weirton Steel Corporation (the "Debtor") post-petition.

FACTUAL BACKGROUND

1. On May 19, 2003, (the "Petition Date"), Weirton Steel Corporation commenced this case under Chapter 11, Title 11 of the United States Code (the "Bankruptcy Code").
2. This Court jurisdiction over the matters presented herein pursuant to 28 U.S.C. §157(b)(2)(A) and (B), as well as 11 U.S.C. §503(a) and (b).
3. This matter is a core proceeding pursuant to 28 U.S.C. §157(b)(2)(A) and (B).

ADMINISTRATIVE CLAIM

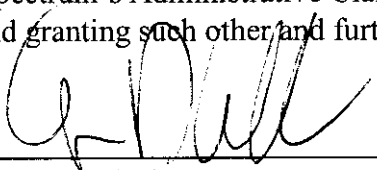
4. On July 7, 2004, Spectrum filed an Administrative Proof of Claim in the amount of \$23,215.00,. A true and correct copy of the Proof of Claim is attached as Exhibit "A".

5. The Claim relates to work performed and services provided by Spectrum on April 19, 2004.
6. The bar date for filing administrative claims was 5:00 p.m. on July 2, 2004.
7. Counsel changed law firms, and due to a delay in receiving the notice of the bar date, counsel did not file the claim until the morning of July 7, 2004, approximately 1 ½ business days past the bar date.
8. There is no deterrent to any party in interest in allowing this claim to be accepted.
9. This Motion was originally served on the Claims Agent on July 21, 2004, and is now being re-filed with the Court.

CONCLUSION

WHEREFORE, Spectrum respectfully requests that this Court enter an order granting the relief sought in this Motion allowing Spectrum's Administrative Claim in the amount of \$23,215.00 as an administrative claim and granting such other and further relief as is just and appropriate.

Dated: September 29, 2004



Gregory D. Gerlach
Pa. I.D. 56443
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Fort Pitt Commons, Suite 500
445 Fort Pitt Boulevard
Pittsburgh, PA 15219

Attorney for Spectrum Mechanical Services, Inc.

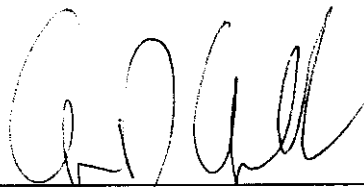
**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF WEST VIRGINIA**

In re:	:	Bankruptcy No. 5:03-BK-01802
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WEIRTON STEEL CORPORATION	:	Chapter 11
	:	
Debtor.	:	Honorable L. Edward Friend, II
	:	United States Bankruptcy Judge
	:	

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of September, 2004, a true and correct copy of the foregoing Motion was served on the persons and at the addresses set forth on the attached service list.

Dated: July 21, 2004



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Attorney for Spectrum Mechanical Services, Inc.

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Pension Benefit Guaranty Corporation
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Environmental Enforcement Section
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Legal Services Division-Bankruptcy
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Charleston, WV 25327-2027

West Virginia Department of Environmental Protection
Office of Legal Services
Mark J. Rudolph, Esquire
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Weirton, WV 26062

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Secretary of Treasury
Main Treasury
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Atlanta District Office
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Atlanta, GA 30326-1232

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255 East Fifth Street
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(Counsel to FW Holdings, Inc.)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF WEST VIRGINIA

IN RE: WEIRTON STEEL CORPORATION, ET AL.

03-1802(LEF)

Name of Debtor:

Weirton Steel Corporation

Case Number:

5:03-BK-1802

ADMINISTRATIVE EXPENSE
PROOF OF CLAIM FORM

This Space is For Court Use Only

VOTE: This form should be used to make a claim for an administrative expense arising after the commencement of the cases pursuant to 11 U.S.C. § 503.

NAME AND ADDRESS OF CREDITOR (the person or entity to whom the debtor owes money or property). If address is incorrect, please insert correct address.

012046-1183A-010

SPECTRUM MECHANICAL SERVICES INC

C/O DORNISH & SCOLIERI, PC

ATTN: GREGORY D. GERLACH-ESQ

1207 FIFTH AVENUE

PITTSBURGH PA 15219

Brennan, Robins & Daley, PC
445 Fort Pitt Blvd
Suite 500
Pittsburgh, PA 15219

☐ Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

☐ Check box if you have never received any notices in this case.

☒ Check box if the address differs from the address on the envelope sent to you by the Bankruptcy Court.

Phone Number:

412-251-0770

ACCOUNT OR OTHER NUMBER BY WHICH CREDITOR IDENTIFIES DEBTOR:

Check here if this claim: ☐ replaces

☐ amends a previously filed claim, dated: _____

1. BASIS FOR CLAIM:

- ☐ Goods sold
☒ Services performed
☐ Money loaned
☐ Personal injury/wrongful death
☐ Taxes
☐ Other (Describe briefly) _____

2. CLASSIFICATION OF CLAIM:

- ☒ Administrative Expense claim under 11 U.S.C. § 503.

3. DATE ADMINISTRATIVE DEBT WAS INCURRED:

April 19, 2004

4. IF COURT JUDGMENT, DATE OBTAINED:

5. TOTAL AMOUNT OF ADMINISTRATIVE EXPENSE CLAIM
THROUGH AND INCLUDING MAY 16, 2004:

\$ 23,215.00
(Total)

- ☐ Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.

6. CREDITS: The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of administrative expense claim.

7. SUPPORTING DOCUMENTS: Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.

8. DATE-STAMPED COPY: To receive an acknowledgment of the filing of your administrative expense proof of claim, enclose a stamped, self-addressed envelope and copy of this administrative expense proof of claim.

THE ORIGINAL OF THIS ADMINISTRATIVE EXPENSE PROOF OF CLAIM MUST BE SENT SO THAT IT IS RECEIVED ON OR BEFORE 5:00 P.M., NEW YORK TIME, ON JULY 2, 2004 IF YOU WISH TO RECEIVE DISTRIBUTIONS IN THESE CHAPTER 11 CASES ON ACCOUNT OF YOUR CLAIM.

IF ADMINISTRATIVE EXPENSE PROOF OF CLAIM IS SENT BY MAIL, SEND TO:

DOMLIN, RECANO & COMPANY, INC.
AS AGENT FOR THE UNITED STATES BANKRUPTCY COURT
RE: WEIRTON STEEL CORPORATION
P.O. BOX 2038, MURRAY HILL STATION
NEW YORK, NY 10156

IF ADMINISTRATIVE EXPENSE PROOF OF CLAIM IS SENT BY HAND DELIVERY OR OVERNIGHT COURIER, SEND TO:

DOMLIN, RECANO & COMPANY, INC.
AS AGENT FOR THE UNITED STATES BANKRUPTCY COURT
RE: WEIRTON STEEL CORPORATION
419 PARK AVENUE SOUTH, SUITE 1206
NEW YORK, NY 10016

THIS SPACE IS FOR
COURT USE ONLY

Please see instructions on back of Proof of Claim

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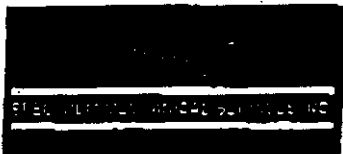
Date:

Sign and print the name and title (if any) of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any):

[Signature]

EXHIBIT

A

**INVOICE**

INVOICE # 11534

685 State Street
 Vanport, Pennsylvania 15009
 Phone: (724) 728-1355 Fax: (724) 728-9707

Invoice : 11534
 Customer: WEIRTO
 Inv Date: 04.19.04
 Page Num: 1
 SMS Job#: 03231

Bill-to:

WEIRTON STEEL CORPORTATION
 400 THREE SPRINGS DRIVE
 WEIRTON, WV

Ship-to:

WEIRTON STEEL CORPORTATION
 GATE #9
 WEIRTON, W.V.

26062-4089

SHIP # 000010936

26062

Customer PO Number: WS3P17454

COMPLETE

Ship Date : Terms : Ship Via : Slsp Num: Due Date : Discount Date
 04.19.04 : 2%/15NET30 : UNIV AMCAN: 1 : 05.19.04 : 05.04.04

Qty Ordered	Qty Shipped	DESCRIPTION	Unit Price	Extended Amount
1.00	1.00	#9 TUNDISH (REPAIRED) COMPLETE	23215.00	23215.00
B.O.P. CHARGING SIDE				
CONTACT: ART MATEY 304-797-4364				

Subtotal : 23215.00 :
 Sales Tax : 0.00 :
 Freight : 0.00 :
 Invoice Total: 23215.00 :
 Payment : 0.00 :